



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/820,395

03/29/2001

Yihsiu Chen

1999-0782

5507

7590

04/06/2005

Wendy W. Koba, Esq.
PO Box 556
Springtown, PA 18081

EXAMINER

LEVITAN, DMITRY

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,395

Applicant(s)

CHEN ET AL.

Examiner

Dmitry Levitan

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-21 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/27/01</u> . | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings were received on 05/17/01. These drawings are not approved.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: architecture 10 on page 5 and step 135 on page 9. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: typographical error on page 11 service controller 42 instead of 72. Appropriate correction is required.
4. The disclosure is objected to, because abbreviations or acronyms CTI are cited throughout the specification without explanation. Applicant should provide a full explanation for the acronyms at least at their first occurrence in the specification.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 2662

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification does not provide sufficient details to enable a skilled in the art to make and use the invention because it does not adequately describe the following:

Regarding claim 18 how the speech recognition module communicates with the mobile device and the remote office platform via a conference call to implement call control commands.

The specification does not provide enough details about the structure and operation of the elements associated with the above identified claimed features to enable one skilled in the art to make and use the invention without undue experimentation.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2662

8. Claims 1, 3, 4, 7-10, 12-15 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bala (US 6,542,475).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

9. Regarding claims 1, 12 and 14, Bala teaches a method and a system of controlling PBX-like functionality at a mobile location not directly connected to a PBX switch (Fig. 1), comprising:

- a. Providing voice and data communication interconnections between the mobile location and the PBX switch (voice and data communication on Fig. 1 and 3:34-38),
- b. Providing a remote office platform coupled between the mobile location and the PBX switch (remote office platform 34 on Fig. 1 and 3 3:45-50),
- c. Authenticating, at the remote office platform, access to the PBX switch from the mobile location (authenticating 3:63-67),
- d. In response to PBX-like commands received at the remote platform from said mobile location, forwarding said commands to said PBX switch for call completion (emulating PBX 4:14-18), and

Art Unit: 2662

- e. In response to calls received at the PBX switch for an individual at said mobile location, sending said received calls to said remote office platform for forwarding to said mobile location (forwarding all calls 4:1-8).

In addition, regarding claim 14, Bala teaches a mobility processor (switch controller 104 and service controller 106 on Fig. 3 and 5:58-67), located at the remote office platform, for activating a PBX-like session with user-identified number when the user ends a session at the remote office location (obtaining “reach” number, controlled by the worker, utilized for forwarding a call or a voice message, when the session is over and there is no answer at the remote location 6:40-67).

10. Regarding claims 3 and 20, Bala teaches PBX commands comprising DTMF tones, including mapping DTMF sequence at the remote office platform into an associated PBX-like command, and transmitting the command through the switch controller to the PBX switch (5:23-56).

11. Regarding claim 4, Bala teaches updating the mobility number for use in communication with individual (look-up for a “reach” number by controller 106 6:47-55).

12. Regarding claims 7, 9 and 10, Bala teaches a mobile device comprising a display, enabled by a soft GUI interface (display 50 on Fig. 2 and 4:21-50), pushed by the remote office platform to the mobile location and activated in the mobile device (pushing GUI to the remote device and activated by the remote worker 2:17-25).

13. Regarding claim 8, Bala teaches authenticating input of the mobile user by using predetermined authentication information stored in a database at the remote office platform (inherently part of the security system 118 on Fig. 3 and 6:22-34, because personal ID numbers and passwords of the users should be stored at the remote office platform for authentication).

Art Unit: 2662

14. Regarding claim 13, Bala teaches data and voice communications with the mobile device is initiated by the remote office platform (sending incoming call message to the remote site 6:47-62).

15. Regarding claim 15, Bala teaches the remote office voice and data interconnections are provided over a data network, comprising IP telephony (IP telephony 2:33-46).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 1-6, 8, 12-15, 17, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz (US 6,516,061) in view of Hosbach (US 5,870,465).

Regarding claims 1, 8, 12 and 14, Horowitz substantially teaches the limitations of claims 1, 8, 12 and 14.

Horowitz teaches a method and a system of controlling PBX-like functionality at a mobile location not directly connected to a PBX switch (Fig. 1), comprising:

- A Providing voice communication interconnections between the mobile location and the PBX switch (Tel 106 and PBX 102 on Fig. 1 and 3, 7:29-49),
- B providing a remote office platform coupled between the mobile location and the PBX switch (setless gateway 104 office platform 34 on Fig. 3 and 11:12-30),

Art Unit: 2662

C Authenticating, at the remote office platform, access to the PBX switch from the mobile location (authenticating 8:9-11),

D In response to PBX-like commands received at the remote platform from said mobile location, forwarding said commands to said PBX switch for call completion (emulating PBX 8:17-34), and

E In response to calls received at the PBX switch for an individual at said mobile location, sending said received calls to said remote office platform for forwarding to said mobile location (forwarding incoming calls 8:34-49).

Horowitz does not teach using data communication from remote location to the PBX.

Hosbach teaches using data communication from remote location to the PBX (2:27-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add using data communication from remote location to the PBX of Hosbach to the system of Horowitz to provide a user with a virtual presence to an office.

In addition, regarding claim 14, Horowitz teaches a mobility processor (inherently part of setless gateway, because a processor is essential for implementing the gateway features as disclosed by Horowitz), located at the remote office platform, for activating a PBX-like session with user-identified number when the user ends a session at the remote office location (obtaining remote analog/cellular number, inherently identified by the worker, because the worker decides what number/phone is used, utilized for forwarding a call or a voice message, when the session is over and there is no answer at the remote location 8:34-60).

Art Unit: 2662

18. Regarding claims 2, 3, 17, 20 and 21, Horowitz teaches using DTMF commands (DTMF 9:4-20) and voice recognition (voice commands 11:32-45) for generating commands to control PBX.

19. Regarding claim 4, Horowitz teaches updating the mobility number (maintaining the phone number of the remote phone 8:34-42 to forward incoming calls to the remote number).

20. Regarding claims 5, 6 and 19, Horowitz teaches updating the mobility number by DTMF and voice recognition means in a separate command (changing designation of call forwarding 3:46-51 using DTMF or voice recognition technology 9:4-43 in a separate command).

21. Regarding claim 13, Horowitz teaches the remote office platform initiating communication with the remote phone (call forwarding 8:34-49).

22. Regarding claim 15, Horowitz teaches providing voice and data interconnections over a data network, comprising an IP telephony connection (using internet 10:58-63).

23. Claims 7-10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Hosbach in further view of Hall (US 6,356,543).

Horowitz in view of Hosbach teaches all the limitations of parent claims 1 and 14.

Horowitz in view of Hosbach does not teach mobile phone comprising display with GUI, using Java transmitted to the mobile phone and activated by the user.

Hall teaches mobile phone comprising display with GUI phone's menu display 1:12-20), using Java transmitted to the mobile phone and activated by user (downloading new phone application implemented in Java 4:16-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add mobile phone comprising display with GUI, using Java transmitted to the mobile phone and activated by user of Hall to the system of Horowitz in view of Hosbach to make the mobile phone more user friendly.

Allowable Subject Matter

24. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2662

DL

Dmitry Levitan
Patent Examiner
03/25/05



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600